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January 4, 2012

Appleton Papers Inc., et al. v. George A. Whiting Paper Co., et al., No. 08-cv-16

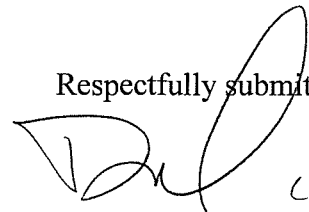
Dear Judge Griesbach:

I am writing on behalf of Plaintiffs NCR Corporation and Appleton Papers Inc. and Defendants CBC Coating Inc., City of Appleton, Georgia-Pacific LLC (and related entities), Menasha Corporation, Neenah-Menasha Sewerage Commission, P.H. Glatfelter Company, U.S. Paper Mills Corporation and WTM I Company. With this letter, the parties respectfully submit a stipulation and a proposed order that address certain issues related to the trial in the above-captioned matter, which is scheduled to begin on February 21, 2012. Please note that the proposal for the Court's consideration is the result of compromises to which the parties have agreed. A copy of the proposed stipulation and order in WordPerfect format will follow by electronic communication.

There are two issues in the proposed stipulation and order that we would like to bring to the Court's attention. *First*, the Court recently confirmed that the trial will last for two weeks. (Dkt. #1265.) The parties are unclear whether the Court is contemplating a 9-day trial (adjourning on Friday, March 2, 2012) or a 10-day trial (adjourning on Monday, March 5, 2012). We respectfully request that the Court clarify the trial schedule so that the parties may prepare accordingly.

Second, in light of the expert deposition schedule and the anticipated pretrial motion schedule, the parties believe that the parties and the Court would be in a better position to have an efficient and productive pretrial conference, which is currently scheduled for Thursday, February 2, 2012, at 1:30 p.m. in Green Bay, if it were moved to a later date. Subject to the Court's availability, the parties respectfully request that the pretrial conference instead be held on Thursday, February 16, 2012, no earlier than 1:30 p.m. in a location to be determined by the Court. (Certain parties are not available for a conference prior to 1:30 p.m. on February 16, due to previously scheduled obligations.)

The parties are available to discuss these issues at the Court's convenience.

Respectfully submitted,

Darin P. McAtee

Hon. Judge William C. Griesbach
United States District Court
Eastern District of Wisconsin
Jefferson Court Building
125 S. Jefferson St., Rm. 203
Green Bay, WI 54301-4541

VIA CM/ECF

COPY TO: All Counsel of Record